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Via Hand Delivery

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vishnu K. Agarwal Attorney Docket No.: 501082.03
Serial No. : 09/652,841 Confirmation No. : 4006
Filed : August 31, 2000 Group Art Unit : 2815
Examiner : Jose R. Diaz
Allowed : April 22, 2003 Issue Fee Paid : July 22, 2003
Title : DEVICE AND METHOD FOR PROTECTING AGAINST OXIDATION OF A CONDUCTIVE LAYER IN SAID DEVICE

RECEIVED

AUG 26 2003

OFFICE OF PETITIONS

Mail Stop Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL FROM ISSUE (37 C.F.R. § 1.313(c)(2)) TO PERMIT
CONSIDERATION OF AN INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97)
IN A REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

In accordance with 37 C.F.R. § 1.313(c)(2), Applicant hereby petitions the Office that the above-identified application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 C.F.R. § 1.97 in the Request for Continued Examination (37 C.F.R. § 1.114) filed herewith. This application was allowed on April 22, 2003, and the issue fee was paid on July 22, 2003.

Applicant requests that the application be withdrawn from issue in favor of the Request for Continued Examination filed herewith. Applicant requests that the Office grant this Petition and consider the Request for Continued Examination and Information Disclosure Statement filed concurrent herewith.

Enclosed is a check in the amount of \$880 in accordance with CFR 1.17(e).

08/27/2003 AKELLEY 00000016 09652041

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130.00 0P

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1266. A copy of this Petition is enclosed.

Respectfully submitted,

DORSEY & WHITNEY LLP



Steven H. Arterberry
Registration No. 46,314

Enclosures:

- Postcard
- Check
- Copy of this Petition
- Request for Continued Examination (+ copy)
- Information Disclosure Statement
- PTO Form 1449 and cited references (4)

1420 Fifth Avenue, Suite 3400
Seattle, WA 98101
Tel: (206) 903-8800
Fax: (206) 903-8820

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FEE TRANSMITTAL SHEET (FOR FY 2003)

Complete if Known																																																																																																																																	
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Large Entity</th> <th style="width: 15%;">Small Entity</th> <th colspan="2"></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - Late filing fee or oath</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Office of Petitions</td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For Filing a Request for Reexamination</td> </tr> <tr> <td>195</td> <td>300</td> <td>196</td> <td>300</td> <td>Publication (early or Republication)</td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>116</td> <td>410</td> <td>216</td> <td>205</td> <td>Extension for reply within 2nd month</td> </tr> <tr> <td>117</td> <td>930</td> <td>217</td> <td>465</td> <td>Extension for reply within 3rd month</td> </tr> <tr> <td>118</td> <td>1,450</td> <td>218</td> <td>725</td> <td>Extension for reply within 4th month</td> </tr> <tr> <td>128</td> <td>1,970</td> <td>280</td> <td>985</td> <td>Extension for reply within 5th month</td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>121</td> <td>280</td> <td>270</td> <td>140</td> <td>Request for oral hearing</td> </tr> <tr> <td>148</td> <td>110</td> <td>248</td> <td>55</td> <td>Terminal Disclaimer Fee</td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>141</td> <td>1,300</td> <td>241</td> <td>650</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>142</td> <td>1,300</td> <td>242</td> <td>650</td> <td>Utility/Reissue issue fee (+ advance copies)</td> </tr> <tr> <td>143</td> <td>470</td> <td>243</td> <td>235</td> <td>Design issue fee (+ advance copies)</td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of IDS</td> </tr> <tr> <td>581</td> <td>40</td> <td>81</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>179</td> <td>750</td> <td>279</td> <td>375</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 5px;">Subtotal (3) \$880</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 5px;">Total Amount of Payment: \$880</td> </tr> </tbody> </table>		Large Entity	Small Entity			Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - Late filing fee or oath	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	139	130	139	130	Office of Petitions	147	2,520	147	2,520	For Filing a Request for Reexamination	195	300	196	300	Publication (early or Republication)	115	110	215	55	Extension for reply within first month	116	410	216	205	Extension for reply within 2 nd month	117	930	217	465	Extension for reply within 3 rd month	118	1,450	218	725	Extension for reply within 4 th month	128	1,970	280	985	Extension for reply within 5 th month	120	320	220	160	Filing a brief in support of an appeal	121	280	270	140	Request for oral hearing	148	110	248	55	Terminal Disclaimer Fee	140	110	240	55	Petition to revive - unavoidable	141	1,300	241	650	Petition to revive - unintentional	142	1,300	242	650	Utility/Reissue issue fee (+ advance copies)	143	470	243	235	Design issue fee (+ advance copies)	122	130	122	130	Petitions to the Commissioner	123	50	123	50	Petitions related to provisional applications	126	180	126	180	Submission of IDS	581	40	81	40	Recording each patent assignment per property (times number of properties)	179	750	279	375	Request for Continued Examination (RCE)	Subtotal (3) \$880				Total Amount of Payment: \$880			
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Submitted by:

Name: Steven H. Arterberry	Reg. No.: 46,314	Telephone: (206) 903-8800
Signature: 	Date: 8/25/03	